

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**JOHN BREADY, SHELLIE BREADY,  
MARCELLE L. GILL, on behalf of and  
as Legal Guardian of Madison Christensen  
and MADISON CHRISTENSEN**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:03CV891WA**

**ALEX A. CARTER, KENNETH L. KNOCH  
and O & S TRUCKING, INC.**

**DEFENDANTS**

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**ORDER**

This matter came before the court on the Defendants' Motion to Strike Designation of Experts by Plaintiff, Marcelle L. Gill, or, in the Alternative, Motion for Extension of Time to Designate Expert Witnesses on Behalf of Defendants, the Defendants' Motion to Compel, and the Defendants' Motion for Attorneys' Fees and Costs under Fed. R. Civ. P. 37 and for Other Relief. The Plaintiffs have responded to each Motion by representing that the deficiencies precipitating the requests for relief have been cured. A review of the docket indicates that no rebuttal to those arguments has been submitted by the Defendants, thereby indicating that these Motions are now moot and no relief need be granted.

IT IS, THEREFORE, ORDERED that the Defendants' Motion to Strike Designation of Experts by Plaintiff, Marcelle L. Gill, or, in the Alternative, Motion for Extension of Time to Designate Expert Witnesses on Behalf of Defendants, the Defendants' Motion to Compel, and the Defendants' Motion for Attorneys' Fees and Costs under Fed. R. Civ. P. 37 and for Other Relief are all found to be moot, except to the extent that the court earlier granted the Defendants additional time within which to designate their experts.

IT IS SO ORDERED, this the 28<sup>th</sup> day of December, 2006.

S/Linda R. Anderson

UNITED STATES MAGISTRATE JUDGE